

Scott M. Riemer (SR 5005)
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SUSAN A. YOUNG,

Plaintiff,

-against-

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY and CONTINENTAL
CASUALTY COMPANY,

Defendant.

-----X

09 CV 9811 (RJH) (THK)

AFFIRMATION OF
SCOTT M. RIEMER

SCOTT M. RIEMER, an attorney duly admitted to practice in the Courts of this State, does hereby affirm to be true under the penalties of perjury as follows:

1. I am counsel for plaintiff in the above-referenced action. I submit this affirmation in opposition to Hartford's motion to for summary judgment.

2. Attached hereto as Exhibit K are true and correct copies of the performance appraisals produced by Hartford in the case of *Jacoby v. Hartford Life and Accident Insurance Company*, 07 CV 4627. The documents were produced pursuant to court order on January 23, 2009. *See, Jacoby v. Hartford*, 2009 U.S. Dist. LEXIS 6498 (S.D.N.Y. Jan. 23, 2009)(Kaplan, J.). Although the documents are not confidential or subject to a protective order, I have redacted the last name of the Hartford employee, who is a Rehabilitative Clinical Case Manager. .

3. Attached hereto as Exhibit L are true and correct copies of the organizational charts produced by Hartford in the *Jacoby* case.

4. Attached hereto as Exhibit M are true and correct copies of descriptions of Hartford's Business Performance Award and Individual Performance Award programs. The documents in Exhibit M were also produced in *Jacoby*. The documents are stamped "confidential," but the documents were produced without any such protection.

5. Attached hereto as Exhibit N is a true and correct copy of Hartford's Rule 26(a) Disclosure Statement, dated March 3, 2010. Hartford did not serve any updates to the Disclosure Statement.

WHEREFORE, Hartford's motion should be denied in its entirety.

Dated: New York, New York
February 25, 2011

/s/Scott M. Riemer
SCOTT M. RIEMER (SR5005)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 25, 2011 I served a true and complete copy of the foregoing Affirmation in Opposition to Summary Judgment by transmitting the same by electronic mail to the following individuals at the e-mail addresses indicated:

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Attorneys for Defendant
Hartford Life Group Insurance Company

I also certify that this document filed through the ECF system will be sent electronically to all registered participants on February 25, 2011.

Dated: New York, New York
February 25, 2011

/s/Scott M. Riemer
Scott M. Riemer